

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WAYNE BAKER,

Plaintiff(s),

- against -

CITY OF NEW ROCHELLE; STATE OF NEW YORK;
POLICE OFFICER MORETTI, INDIVIDUALLY; CAPTAIN
"JOHN DOE" Individually of New Rochelle City Police;
SAFEWAY TOWING and COLLISION, CITY OF NEW
ROCHELLE, TOWING COMPANY,

Defendants.
-----X

Civil Action No.:
08 CV-0561(SCR)(GAY)

**MANDATORY
DISCLOSURE PURSUANT
TO FEDERAL RULE OF
CIVIL PROCEDURE 26(a)**

Defendant9), D&G AUTO REPAIR INC. d/b/a SAFEWAY COLLISION s/h/a
SAFEWAY TOWING and COLLISION, and ELITE TOWING, INC. d/b/a SAFEWAY
TOWING s/h/a CITY NEW ROCHELLE, TOWING COMPANY, pursuant to Federal Rule of
Civil Procedure 26(a) makes the following disclosure:

(A) the name and, if known, the address and telephone number of each individual
likely to have discoverable information relevant to disputed facts alleged with particularity
in the pleadings, identifying the subjects of the information.

Upon information and belief, set forth below are the names, and if known the
telephone numbers and addresses of each individual that the disclosing party may use to
support its claims or defenses:

NAMES OF WITNESSES: None known at the present time.

(B) A copy of, or a description by category and location of, all documents, data
compilations, and tangible things in the possession, custody, or control of the party that are
relevant to disputed facts alleged with particularity in the pleadings.

None currently in defendant's possession.

(C) A computation of any category of damages claimed by the disclosing party

making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered:

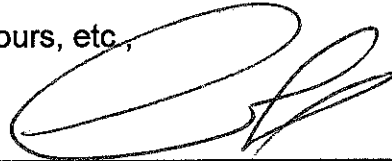
None.

(D) For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

1. **Insurance:** Defendant(s) Markel Insurance
2. **Disclosure of Expert Witnesses/Testimony:** None retained to date, however, defendant reserves its right to retain an expert witness and make disclosure if and when said expert(s) have been retained.
3. **Pretrial disclosures** - At this time the defendant does not possess any additional information sufficient to respond to this portion sub paragraph 3 of Rule 26 which has not already been set forth herein.

Dated: Huntington, New York
 August 28, 2008

Yours, etc,



CURTIS SOBEL (CS-0964)
SOBEL & KELLY, P.C.
Attorneys for Defendant
D&G AUTO REPAIR INC. d/b/a SAFEWAY
COLLISION s/h/a SAFEWAY TOWING and
COLLISION, and ELITE TOWING, INC. d/b/a
SAFEWAY TOWING s/h/a CITY NEW
ROCHELLE, TOWING COMPANY
464 New York Avenue, Suite 100
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TO: WAYNE BAKER
 Plaintiff, Pro Se
 133 North 6th Avenue, 2nd Floor
 Mount Vernon, New York 10550

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKLER, LLP
Attorneys for Defendants
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POLICE OFFICER DINA MORETTI
3 Gannett Drive
White Plains, New York 10604-3407
(914) 323-7000

DECLARATION OF SERVICE BY MAIL

08-CV-0561(SCR)(GAY)

STATE OF NEW YORK)

ss:

COUNTY OF SUFFOLK)

LUCY ANN DeSIMONE, hereby declares, pursuant to 28 U.S.C., Section 1746 and Local Civil Rule 1.10 of this Court, that I am not a party to the action; I am over 18 years of age and reside at Middle Island, New York 11953

On 08/28/2008, I served the within Mandatory Disclosure Pursuant to Federal Rule of Civil Procedure 26(a), by depositing a true copy of the same enclosed in a post-paid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, addressed to each of the following persons at the last known address set forth after each name:

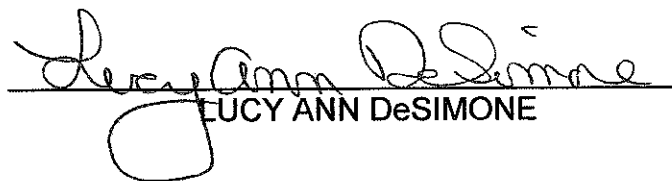
TO:

WAYNE BAKER
133 North 6th Avenue, 2nd Floor
Mount Vernon, New York 10550

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKLER, LLP
3 Gannett Drive
White Plains, New York 10604-3407

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08 /28/2008


LUCY ANN DeSIMONE

CIVIL ACTION No.: 08-CV-0561(SCR)(GAY)
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SOUTHERN DISTRICT OF NEW YORK

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Plaintiff(s),

-against-

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ROCHELLE, TOWING COMPANY,

Defendant(s).

**MANDATORY DISCLOSURE PURSUANT
TO FEDERAL RULE OF CIVIL PROCEDURE 26(a)**

Signature (Rule 130.1.1-a)


CURTIS SOBEL (0964)

SOBEL & KELLY, P.C.
Attorneys for Defendants
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